

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
February 18, 2004**

The Board of Supervisors of Maricopa County, Arizona convened in Special Session at 10:00 A.M., February 18, 2004, in the Supervisors' Conference Room, 301 W. Jefferson Phoenix, Arizona, with the following members present: Andy Kunasek, Vice Chairman, District 3; Don Stapley, District 2, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Absent: Fulton Brock, District 1. Also present: Fran McCarroll, Clerk of the Board, Shirley Million, Administrative Coordinator, David Smith, County Administrative Officer and Paul Golab, Deputy County Attorney.

**EXECUTIVE SESSION CALLED**

Pursuant to A.R.S. 38-431.03, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to recess and reconvene in Executive Session to consider items listed on the Executive Agenda dated February 18, 2004, as follows.

**PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION - ARS §38-431.03(A)(4)**

**1. Orsett v. Maricopa County No. CV 2003-002162 and subsequent condemnation case.**

Terry Eckhardt, Deputy County Attorney, Division of County Counsel  
Tom Manos, Chief Financial Officer  
Colin Campbell, Presiding Judge of the Superior Court  
Dennis Lindsey, Manager, Real Estate  
Thomas Irvine, Outside Counsel  
William Riske, Deputy County Attorney, Division of County Counsel

**MEETING RECESSED**

Chairman Kunasek recessed executive session to reconvene in open session to vote on this matter.

**SPECIAL SESSION RECONVENED**

**ORSETT/COLUMBIA LIMITED PARTNERSHIP, AN ARIZONA LIMITED LIABILITY PARTNERSHIP, DEFENDANT/PETITIONER V. SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR MARICOPA COUNTY - CV 2003-011274**

Item: Direct staff as to litigation CV 2003-011274 regarding Orsett/Columbia Limited Partnership, an Arizona Limited Liability Partnership, Defendant/Petitioner v. Superior Court of the State of Arizona in and for Maricopa County and the Honorable William J. O'Neil, Judge, Arizona Supreme Court, Pinal County, Respondents, and Maricopa County, a municipal corporation, Plaintiff/Real Party in Interest. (C24040034) (ADM413)

Motion was made by Supervisor Wilson, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) for authorization to file a Petition for Review to the Arizona Supreme Court in the matter as given above.

**EXECUTIVE SESSION RECONVENED**

Chairman Kunasek reconvened executive session to consider the following settlement discussions, which will also be voted on in open session at the end of this discussion.

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**SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION - ARS §38-431.03(A)(4)**

2. **City of Phoenix: Phoenix City Prisoners 7/1/01 – 6/30/02**  
Louis Gorman, Deputy County Attorney, Division of County Counsel  
Patrick Walz, CFO, Maricopa Integrated Health Systems
3. **City of Scottsdale: Scottsdale City Prisoners 12/21/00 – 6/30/03**  
Louis Gorman, Deputy County Attorney, Division of County Counsel  
Patrick Walz, CFO, Maricopa Integrated Health Systems

**MEETING RECESSED**

Chairman Kunasek recessed executive session to open session to vote on this matter.

**SPECIAL SESSION RECONVENED**

**SETTLEMENT AGREEMENTS – MARICOPA INTEGRATED HEALTH SYSTEMS**

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (4-0-1) to approve the following settlement agreements resolving disputes between Maricopa County dba Maricopa Integrated Health System and the cities regarding the cities' obligation to reimburse MIHS for special medical care incurred by prisoners:

- a) City of Phoenix in the amount of \$267,327.95, between July 1, 2001, through June 30, 2002. (C90041732) (ADM 409)
- b) City of Scottsdale in the amount of \$29,276.13, between December 21, 2000, through June 30, 2003. (C90041742) (ADM 409 )
- c) City of Scottsdale in the amount of \$82,710.42, between April 29, 2002, through May 29, 2002. (C90041752) (ADM 409)

**EXECUTIVE SESSION RECONVENED**

Chairman Kunasek reconvened Executive session to consider the following.

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION; PURCHASE, SALE OR LEASE OF REAL PROPERTY - ARS §38-431.03(A)(3), (A)(4) and (A)(7)**

4. **5<sup>th</sup> Avenue and Filmore Street**  
Terry Eckhardt, Deputy County Attorney, Division of County Counsel  
Sandi Wilson, Deputy County Administrator  
Tom Manos, Chief Financial Officer  
Dennis Lindsey, Manager, Real Estate  
William Riske, Deputy County Attorney, Division of County Counsel

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**5. 32<sup>nd</sup> Street and Van Buren**

Terry Eckhardt, Deputy County Attorney, Division of County Counsel  
Sandi Wilson, Deputy County Administrator  
Tom Manos, Chief Financial Officer  
Dennis Lindsey, Manager, Real Estate  
William Riske, Deputy County Attorney, Division of County Counsel

**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Andrew Kunasek, Chairman of the Board

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Fran McCarroll, Clerk of the Board